

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDGAR W. TUTTLE, ERIC BRAUN, and
THE BRAUN FAMILY TRUST by its co-trustee
ERIC BRAUN, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

SKY BELL ASSET MANAGEMENT, LLC, *et al.*,

Defendants.

No. C 10-03588 WHA

**FIFTH ORDER RE
UNDELIVERABLE
CLASS NOTICES**

Class counsel are advised that the Court has received as undeliverable an envelope containing the class notice and request to opt out form for Brenda J. Scarborough and Dean J. Radetsky Cust. As previously stated, the Court would be inclined not to extinguish the rights of any class member who fails to receive notice. Such class members would be deemed opted out of the class.

IT IS SO ORDERED.

Dated: August 8, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE